

**CITY OF DESERT HOT SPRINGS
PLANNING COMMISSION AGENDA REPORT
January 10, 2006**

TO: Honorable Chair and Planning Commissioners

SUBJECT: Development Permit (DP) No. 17-05
Design Review (DR) No. 16-05

APPLICANT: 38 Rolling Hills LLC, Bill Wright

DEPARTMENT: Planning Department

CONTACT: Jon Braginton, Assistant Planner

Recommendation:

Staff would recommend that the Planning Commission open the public hearing, take any relevant testimony and undertake the following action:

- **ADOPT** Resolution No. 43-05 Approving Development Permit No. 17-05 and Design Review No. 16-05 for architectural and project design approval of the home and landscaping plans for 41 single-family residences in conjunction with approved Tentative Tract No. 33653.

Summary of Request:

38 Rolling Hills LLC (the "Applicant"), filed an application for Development Permit (DP No. 17-05) and Design Review (DR No. 16-05) for architectural and project design approval of the home and landscaping plans for 41 single-family residences.

Project Summary:

The proposed project would involve the construction of 41 single-family homes within a ± 12.33-acre site. The project is known as Rolling Hills, as part of Tentative Tract No. 33653 and would be a continuation of residential development in the immediate project area. Access approved for the Tract Map matches the existing network for streets located in the immediate vicinity.

The project site is zoned Residential-Low (R-L), which specifies a 9,000 square foot minimum lot area for single-family development. As designed, the project will be providing an average lot size of 9,050 square feet with the largest lot being 10,211 square feet and the smallest lot being 9,000 square feet in size. The project's internal [public] residential road proposes a 60 foot right-of-way (40-feet of pavement curb-to-curb) with a 10-foot public easement.

Development Permit/Design Review:

The applicant proposes five (5) different models. Generally, the proposed architecture is modern-contemporary, southwestern in design, earth toned colors with finish materials of stucco, stone veneer, and tile roofs. Floor plans show the building footprints range in size from 2,839 to 3,527 square feet, including, covered patios and garages. The heights of the models range from a low of seventeen feet six inches to a maximum height of eighteen feet eight inches, which is below the twenty foot maximum permitted in an R-L zone.

Each of the 5 model home plans is presented with two (2) different front building elevations (depending on selected garage or bonus room option). This gives the project the potential to provide ten (10) different front building elevations for the 41-lot development. Staff feels that this is enough “functional and visual variety in a manner consistent with the scale and intensity of subdividing” as prescribed in the Zoning Ordinance under Section 159.04.050, Development Guidelines for Residential Design.

There are four (4) color schemes for the exterior finish, roof tile, and fascia with combinations of tans, browns, grays, and red. In addition, there are three (3) design schemes for the stone veneer with color of Carmel Mountain, Hillside, and Carlsbad Blend.

Landscaping and Perimeter Walls

The front yard landscape plans show a mix of decomposed granite, cobble-stone riverscape, drought tolerant trees, shrubs, vines, and desert accents that meet the City's requirements. The proposed landscape within the common areas and retention basins has similar planting materials to the proposed front yard landscaping.

As proposed, the perimeter, sound barrier walls facing Mission Lakes Boulevard and Little Morongo Road will be tan slump stone block with rolled concrete cap with 50 foot returns at the terminus ends of the project to reduce flanking noise. This wall shall have the following heights: for a distance of 50 feet east and north from the corner of Mission Lakes Boulevard and Little Morongo Road, the wall height shall be 8 feet; the remainder of the wall facing the roads shall be 7.5 feet above the adjacent roadway surface; the returns shall be 6 feet in height above the adjacent road surface.

The perimeter walls facing Mission Lakes Blvd will consist of a combination wall implementing the use of wall separations and appropriate landscaping (See Attachment 4). The interior block wall will be a tan precision block wall with two (2) courses of tan slump stone block and rolled concrete cap. A wrought iron fence is proposed on the rear property line of Lot H. By condition, Staff would recommend that matching pre-cast pilasters or better be utilized within this project site, subject to the review and approval of the Planning Department.

By condition, staff is recommending that landscape designs for the front yard shall incorporate a variety in the rock material (i.e. ¾" Prairie Dawn, Sangria, California Gold, Arizona Cobble river rock), decomposed granite (i.e. Desert Gold, Southwest

Brown), and/or add 1-2 additional tree(s) to their landscape plans.

Lot H retention basin proposes grass turf for the recreational use of a children's playground, picnic tables and park benches. By condition, staff will recommend the proposed recreational uses of Lot H will be utilized and to be in conformance with Mission Springs Water District's landscaping guidelines.

Staff Concerns

Design

The residential design guidelines as prescribed in Section 159.040.050 of the City of Desert Hot Springs Zoning Ordinance indicates, "that one residential design should not be repeated more frequently than each fourth house". Staff is concerned with repeating of model designs and as a condition, would recommend that the following lots be changed to another house plan to comply with this design guideline: Lots 4, 5, 9 and 38.

Staff is concerned with the proposed color for the garage doors. The Design Review Board has recommended in previous meetings that the color for the garage doors shall be near to the same color used for the exterior stucco to avoid the garage from showing prominence over the rest of the home frontage. As a condition, Staff will require garage doors to utilize similar colors used for exterior stucco.

Landscaping

Staff is concerned that the landscape plans for the front yard would not create variety and interest in the streetscape of the project since the four proposed landscape plans are similar in design (see Attachment 3). By condition, Staff will recommend that the front yard landscape designs and mounding for plans 3, 4 and 5 shall incorporate a variety of rock material (i.e. Mexican pavers, ¾" Palms Spring Gold coarse rock gravel, 4"-6" river rock), decomposed granite (i.e. desert dust, desert gold, southwest brown) and to add additional plants (i.e. 1-gallon Lantana, 5-gallon Texas Sage) to barren corners of landscape plans.

Public Comments:

None

Public Notice:

Notice for this item had been advertised in the Desert Sun newspaper on December 31, 2005.

Environmental Analysis:

In accordance with the California Environmental Quality Act ("CEQA"), the City undertook an Environmental Assessment and a Mitigated Negative Declaration was prepared for the project in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines as adopted in the City Council Resolution No. 2005-29 dated August 9, 2005. Furthermore, it has been determined that the proposed project being considered is within the scope of improvements contemplated by the Mitigated Negative Declaration and do not raise any issues that

were not previously addressed in the Mitigated Negative Declaration document. As such, the City has determined that no further environmental review is needed.

Attachments:

1. Draft Resolution No. PC 43-05
Exhibit A – Conditions of approval for DR 16-05, DP 17-05
2. Landscape Plan
3. Preliminary Wall Plan
4. Proposed Elevations
5. Floor Plans
6. Lotting Plans

RESOLUTION NO. PC 43-05

A RESOLUTION OF THE PLANNING COMMISSION APPROVING DEVELOPMENT PERMIT NO. 17-05 AND DESIGN REVIEW NO. 16-05 FOR ARCHITECTURAL AND PROJECT DESIGN APPROVAL OF THE HOME AND LANDSCAPING PLANS FOR 41 SINGLE-FAMILY RESIDENCES IN CONJUNCTION WITH APPROVED TENTATIVE TRACT NO. 33653.

WHEREAS, 38 Rolling Hills LLC (the "Applicant"), has filed an application with the City of Desert Hot Springs (the "City") for Development Permit (DP No. 17-05) and Design Review (DR No. 16-05) (the "Project"), for architectural and project design approval of the home and landscaping plans for 41 single-family residences part of TTM No. 33653, abutting Mission Lakes Boulevard, east of Little Morongo Road [Assessor Parcel Nos. 661-230-004, -008, -009) within the City of Desert Hot Springs, California (the "Site"); and

WHEREAS, notice of a public hearing of the Planning Commission of the City of Desert Hot Springs to consider Applicant's applications was given in accordance with applicable law; and

WHEREAS, on January 10, 2006 a public hearing on the requested applications was held by the Planning Commission; and

WHEREAS, after careful consideration of the staff report and all of the information, evidence, and testimony presented at its public hearing, the Planning Commission finds as follows:

Development Permit Findings:

1. With the implementation of Conditions of Approval and Approved Mitigation Measures part of TTM No. 33653, there is enough "functional and visual variety in a manner consistent with the scale and intensity of subdividing" as prescribed in the Zoning Ordinance under Section 159.04.050, Development Guidelines for Residential Design in keeping with the City's goal of providing a wide range of housing opportunities and product types.
2. The proposed subdivision is permitted within the subject land use district and complies with all of the applicable provisions of this Zoning Ordinance, including prescribed development standards and design guidelines. The subject property is zoned R-L, Residential Low Density, which allows the development of detached single-family project as proposed by the applicant. Therefore, the Project is consistent with the Zoning Code and General Plan Land Use Designations.
3. That the subject Site is physically suitable for the type and intensity of land use being proposed. The site is presently vacant with few distinguishable

features and has an area best described as rectangular in shape with the northern property boundary delineated by a chain link fence and the southerly and westerly boundaries abutting Mission Lakes Boulevard and Little Morongo Road, respectively. Topographically, the study area slopes gently to the south. The project site is presently vacant with few distinguishable features. However, the site is presently in the process of rough grading and the soils are characterized as sandy, compacted, with occasional surface boulders.

4. That the proposed Project is compatible with existing and future development within the land use district and general vicinity. The surrounding property, whether built or vacant is envisioned with low density residential development; and
5. That there are adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use is not detrimental to public health and safety. The development included proper noticing of the applicable agencies and utilities. All utilities are subject to the Water Efficient Guidelines of Mission Springs Water District.
6. That there is adequate public access and roadway capacity to serve the development as conditioned. Street access approved for TTM No. 33653 matches the existing network of streets located in the immediate vicinity.
7. The Project will have no significant effect on the environment. A Mitigated Negative Declaration and Mitigation Monitoring Program was prepared for the Project and publicly noticed, in accordance with applicable law.
8. That the proposed use is consistent with the General Plan. The site is designated for low density residential development. Currently, low density development is proposed in the surrounding areas.
9. The proposed location, size, design, and operational characteristics of the planned use are not detrimental to the public interest, health, safety, convenience, or welfare of the City. With the implementation of the proposed Conditions of Approval and Mitigation Measures approved in conjunction with TTM No. 33653, the City does not see the project as being detrimental to the public interest, health, safety, convenience, or welfare of the City.

Design Review Findings:

1. The design of the proposed project would provide a desirable environment for its occupants and visiting public as well as its neighbors through good aesthetic use of materials, textures, and colors that will remain appealing and will retain a reasonably adequate level of maintenance. The proposed finished materials and colors are used in the immediate vicinity and provide continuity between existing and new development.

2. The design and layout of the proposed project will not unreasonably interfere with the use and enjoyment of neighboring existing or future development, and will not result in vehicular and/or pedestrian hazards. Both the City and the Riverside County Fire Department have reviewed the proposed project to ensure the no hazardous situations will result either on-site or for adjacent properties; and
3. The proposed color for the garage doors shows prominence over the proposed color of stucco finish used for homes. The Design Review Board has recommended in previous meetings that the color for garage doors shall be the same color used for the exterior stucco finish in order to avoid the garage door from standing out. By condition, Staff will recommend that the color for the garages will be similar to the color of stucco finish used for the homes.
4. The design and layout of the proposed project will not unreasonably interfere with the use and enjoyment of neighboring existing or future development, and will not result in vehicular and/or pedestrian hazards. Both the City and the Riverside County Fire Department have reviewed the proposed project to ensure that no hazardous situations will result either on-site or for adjacent properties; and
5. The architectural design of the proposed Project is compatible with the character of the surrounding neighborhood and will maintain the harmonious, orderly and attractive development contemplated by this Zoning Ordinance and the General Plan.

Environmental:

1. The Project will have no significant effect on the environment. A Mitigated Negative Declaration and Mitigation Monitoring Program was prepared for the Project and publicly noticed, in accordance with applicable law.

NOW, THEREFORE, the Planning Commission of the City of Desert Hot Springs resolves as follows:

1. That the aforementioned findings are hereby approved and incorporated within.
2. That the Planning Commission hereby **APPROVES** Development Permit (DP) No. 17-05 and Design Review (DR) No. 16-05 for the project design that will be developed in conjunction with approved Tentative Tract Map No. 33653, subject to the conditions of approval, shown in Exhibit "A", hereto and by this reference incorporated herein.

PASSED, APPROVED, AND ADOPTED this 10th day of January 2006, by the following vote:

AYES:
ABSENT:
NOES:
ABSTAIN:

Alfred Schmidt, Chairman

ATTEST:

Janice Dawson, Secretary

APPROVED AS TO FORM:

Toni Eggebraaten, Interim City Attorney

Exhibit A
Conditions of Approval
For
Development Permit No. 17-05
Design Review No. 16-05

General

- 1) Applicant/developer shall indemnify, protect, hold harmless and defend the City and any agency or instrumentality thereof, an/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City to attack, set aside, void, annul, seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voter of the City, concerning the entitlement applications. City shall promptly notify both the applicant and landowner of any claim, action, or proceeding to which this condition is applicable and shall further cooperate fully in the defense of the action. The City reserves its right to take any and all action the City deems to be in the best interest of the City and its citizens in regard to such defense.
- 2) Within fifteen (15) days of final approval by the Planning Commission, the applicant shall submit in writing, a statement indicating that he/she has read and agrees to the conditions imposed herein. This authorization shall become void, and any privilege, permit, or other authorization granted under these entitlements (DP No. 17-05 & DR No. 16-05) shall be deemed to have elapsed if compliance with this condition has not been undertaken within the specified time limits.
- 3) The Applicant/Developer shall maintain the subject property after the start of construction and until the Project is completed, free of weeds, debris, trash or any other offensive, unhealthful and dangerous material. If after five (5) days' notice by certified mail, the Applicant/developer does not comply with the before mentioned criterion, the City Council may either cancel building or grading permits and/or enter the subject property with City forces and remove all subject violations, bill the applicant and/or put a lien on the subject property.
- 4) The Developer shall pay all established service, permit, impact and other applicable fees required by the City of Desert Hot Springs.
- 5) Within 30-days of approval the applicant shall remove any discarded green waste, tires, household debris, and/or construction rubble from the project site. If after five (5) days notice by certified mail, the Applicant/developer does

not comply with the before-mentioned condition, the City Council may enter the subject property with City forces and remove all subject violations, bill the applicant and/or put a lien on the subject property.

- 6) If after five (5) days' notice by certified mail, the Applicant/developer does not comply with the before mentioned criterion, the City Council may either cancel building or grading permits and/or enter the subject properties with City forces and remove all subject violations, bill the applicant and/or put a lien on the subject property.

The following conditions of approval are for DP No. 17-05 and DR No. 16-05 throughout the life of this permit; the permit holder shall comply with all the foregoing conditions of approval:

- 1) The approval for DP No. 17-05 shall be valid for a period of one (1) year in which the applicant must vest his development right or seek an extension thereof.
- 2) All development on the properties shall be in compliance with all applicable provision of the City's Municipal Code, including the Zoning Ordinance, as well as all applicable provisions of the adopted Building Codes. All new construction shall obtain a building permit and comply with all requirements of the Building Department.
- 3) The development of the Project on the property shall be in compliance with the exhibits, contained in the file for DP No. 17-05 and DR No. 16-05.
- 4) Prior to the installation of any improvements in the public right-of-way (ROW), an encroachment permit must be obtained from the City Engineer.
- 5) The applicant must submit two (2) sets of construction drawings to the Fire Department for review and approval prior to issuance of any permits. Said construction drawings shall demonstrate the projects' adherence to all provisions of the currently adopted Uniform Fire Code.
- 6) An exterior lighting plan must be submitted to the Development Department for review and approval prior to the installation of such fixtures. The light fixtures must be fully screened in a manner consistent with the City's night sky ordinance.
- 7) That the proposed recreation park for Lot H to provide and maintain two (2) picnic tables, four (4) benches and a children's playground facility (i.e. slide, rings, monkey bars, etc.) and to be approved by Planning Department Staff.
- 8) All construction activity must conform to the City's established hours for said activities.

- 9) Adequate measure to control PM10 as a result of the development of the site shall be taken at all times during construction, in order to limit the dust and debris affecting any adjacent development. A PM10 Mitigation Plan must be filed with the Planning Department prior to issuance of any building permit.
- 10) The perimeter, sound barrier walls facing Mission Lakes Boulevard and Little Morongo Road will be tan slump stone block with rolled concrete cap with 50 foot returns at the terminus ends of the project to reduce flanking noise. This wall shall have the following heights: for a distance of 50 feet east and north from the corner of Mission Lakes Boulevard and Little Morongo Road, the wall height shall be 8 feet; the remainder of the wall facing the roads shall be 7.5 feet above the adjacent roadway surface; the returns shall be 6 feet in height above the adjacent road surface.
- 11) Site walls (between lots): any walls or combination of fence, screen or retaining walls with a minimum requirement of tan precision block shall not be over 6-feet in height as measured from the lowest side of the wall where it is constructed, consistent with the requirements of Table 20.01 of the Municipal Zoning Code.
 - Unless otherwise required and/or approved by the Engineering Department the perimeter wall for the Retention Basin shall be wrought iron with slump stone pilasters matching the project's perimeter wall design and materials of construction.
- 12) That the on-site perimeter wall shall be tan slump block with matching pre-cast pilasters with a rolled mortar wall cap as indicated on the approved tentative tract map.
- 13) Landscape/wall plans for any front yard area, on-site storm water detention facilities, common area open space area all be provided to the Planning Director for review and approval and that such plans shall utilize drought-tolerant landscaping or other planting reflective of the desert environment subject to the requirements of Mission Springs Water District's Water Efficient Landscaping Guidelines (e.g. Arid, Semi Arid, with limited turf).
- 14) For weed abatement practices, the required use of non-shredding, non-plastic, durable fabrics (i.e. fiberglass lining) to prevent erosion. Also to require landscaping for slopes that will not exceed 3:1 grade.
- 15) The interior garage dimensions shall measure no less than 20' wide X 20' long X 7.5' high unobstructed.

- 16) The homes on the following lots to be changed to another house plan to comply with the Design Guidelines in Section 159.040.050 of the City of Desert Hot Springs Zoning Ordinance:
 - Lot 4 (Plan 5RB to Plan 1RB)
 - Lot 5 (Plan 3A to Plan 5RA)
 - Lot 9 (Plan 5A to Plan 2B)
 - Lot 38 (Plan 4A to Plan 5A)
- 17) That the landscape designs for the front yard shall incorporate a variety of rock material (i.e. ¾" Prairie Dawn, Sangria, California Gold, Arizona Cobble river rock), decomposed granite (i.e. Desert Gold, Southwest Brown). Also as a condition, additional trees and plants may be required for open barren sections of front yards and common areas at the discretion of Planning Staff landscape inspection.
- 18) All air conditioning units are to be located in the rear of the homes proposed.
- 19) Maximum building height of twenty (20) feet is required, including, chimneys and shrouds per the requirements of the Zoning Ordinance pertaining to low density residential.
- 20) All walls will be constructed with pilasters provided at every change in direction, every five feet difference in elevation and at a minimum of every 25 feet of continuous wall. Additionally, perimeter walls will have articulated planes by providing at a minimum for every 100 feet of continuous wall an 18 inch deep by 8 foot long landscaped recession.
- 21) The use of vines (Lilac, Yellow Orchid, or Baja Precision) is required on all perimeter walls to help combat vandalism and graffiti. Landscaping to be provided in all parkways and reviewed/approved by Planning prior to permit issuance.
- 22) On a corner lot, no fence, wall, hedge, sign or other structure, shrubbery, mounds of earth, or other visual obstruction over 30 inches in height above the nearest street curb elevation shall be erected, placed, planted, or allowed to grow within the corner cutback area. There shall be no visible obstructions as defined in this within the corner cutback area, which involves a triangle area created by a diagonal line connecting two points equal distance from the corner on the intersecting property line at a distance measured twenty-five feet (25') back from the intersection of the prolongation of the front and sides property lines from the corner property line.

